

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.**

**16. CONTEMPT PETITION No. 602 of 2018
IN WRIT PETITION No. 906 of 2018**

Sandhya D/o Digambar Salunkhe

...Petitioner

Versus

Smt. Manisha Patankar/Mhaishkar,
Principal Secretary, Urban Development Dept.,
Mantrsalaya, Mumbai and others

...Respondents

Mr. A.N. Kakade, Advocate for petitioners

Smt. R.P. Gaur, Asstt. Govt. Pleader for Respt. No.1

Mr. P.R. Patil, Advocate for Respt. No.2

**CORAM : PRASANNA B. VARALE,
AND
R. G. AVACHAT, JJ.**

DATE : 15th July, 2019

ORAL ORDER:

1. Heard the learned counsel appearing for the petitioners.

2. Simple notice was issued to respondent No.2 on 13th August, 2018. By order dated 24th January, 2018 in Writ Petition No. 906 of 2018, respondent No.1 i.e. the Secretary Urban Development Department, Mantralaya, Mumbai, was directed to take a decision on the proposal, if not already taken, within a stipulated period of six weeks from the date of order and to communicate the same to respondent No.2. On perusal of the affidavit-in-reply filed on behalf of respondent No.1 Smt. Mhaishkar, Principal Secretary to the Government of Maharashtra,

Urban Development Department, Mantralaya, Mumbai, it reveals that the decision was taken on the proposal submitted to the State of Maharashtra, on 1st November, 2017 and the Commissioner of Jalgaon Municipal Corporation was informed to take an appropriate decision in the matter as the matter relates to grant of certain benefits of the employee of the corporation. It was informed to the Commissioner that the Commissioner could have taken a decision and it was not necessary for him to seek concurrence or permission from the State of Maharashtra. It is further stated in the affidavit-in-reply that the Jalgaon Municipal Corporation communicated to the petitioner on 26th December, 2017 that her request to give benefits of revised pay scale is rejected. In view of these facts, it can safely be said that the order of this court is duly complied with by respondent No.1.

3. The learned Counsel for the petitioner prays for liberty to challenge the decision dated 26th December, 2017 passed by Jalgaon Municipal Corporation. The Contempt Petition is accordingly disposed of with liberty to the petitioner to challenge the decision dated 26th December, 2017 passed by Jalgaon Municipal Corporation, if so advised.

(R. G. AVACHAT)
JUDGE

(PRASANNA B. VARALE)
JUDGE.